

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ALFREDO ARNOLDO GALLARDO,)
Petitioner,)
v.) 1:16CV974
UNITED STATES OF AMERICA,) 1:15CR288-1
Respondent.)

O R D E R

Petitioner in this action submitted a Motion (Docket Entry 32) to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. The Court stayed the matter pending a decision which later issued in Beckles v. United States, ___ U.S. ___, 137 S. Ct. 886 (2017). Although the holding in Beckles precludes some of Petitioner's claims, not all of them are affected by that case. Therefore, the Court will lift the prior stay and, in accordance with Rule 4(b) of the Rules Governing Section 2255 Proceedings, will direct the United States Attorney to file a Response to the Motion.

IT IS THEREFORE ORDERED that the prior stay in this case is lifted and that the United States Attorney is directed to file a Response to Petitioner's Motion (Docket Entry 32) within sixty (60) days from the date of the entry of this Order.

This, the 8th day of June, 2017.

/s/ L. Patrick Auld
L. Patrick Auld
United States Magistrate Judge